

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**TEAM KENNEDY,**

**Plaintiff,**

**-against-**

**HENRY T. BERGER, in his official capacity as Co-Chair of the New York State Board of Elections; PETER S. KOSINSKI, in his official capacity as Co-Chair of the New York State Board of Elections; ESSMA BAGNUOLA, in her official capacity as a Commissioner of the New York State Board of Elections; ANTHONY J. CASSALE, in his official capacity as a Commissioner of the New York State Board of Elections; KRISTEN ZEBROWSKI STAVISKY, in her official capacity as Co-Executive Director of the New York State Board of Elections; RAYMOND J. RILEY, III, in his official Capacity as Co-Executive Director of the New York State Board of Elections; and LETITIA JAMES, in her official capacity as the Attorney General of the state of New York,**

**Defendants.**

**24-CV-3897 (ALC)**

**ORDER**

**ANDREW L. CARTER, JR., District Judge:**

Plaintiff, the principal campaign committee to elect Robert F. Kennedy Jr., a third-party candidate, to the Office of President of the United States, brings a lawsuit that could affect the upcoming presidential election in New York. Plaintiff alleges that New York's ballot restrictions violate constitutional requirements requiring states to place third-party and independent candidates on the general election ballot. *See* ECF No. 10 at ¶¶ 2-3.

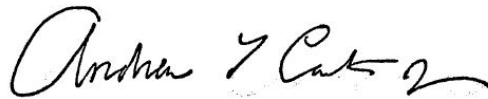
The election will take place this fall. The Complaint was filed on May 20, 2024, and electronic summonses were issued on May 21, 2024 (ECF Nos. 11-16, 18). It is August 7, 2024. Plaintiff has still not served the summons or complaint.

Although Federal Rule of Civil Procedure Rule 4(m) allows a plaintiff 90 days after the complaint is filed to effectuate service, the Court is concerned about unnecessary delay exacerbating any disruptions resulting from this lawsuit. In addition, several groups and individuals sought to intervene as Plaintiffs on August 5, 2024. ECF No. 20.

Accordingly, Plaintiff is ORDERED to file a status report, indicating how Plaintiff would like to proceed with this matter and when Plaintiff expects to effect service. Plaintiff should file this report on or before August 9, 2024.

**SO ORDERED.**

**Dated: August 7, 2024**  
**New York, New York**



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**ANDREW L. CARTER, JR.**  
**United States District Judge**